

claims 7 and 24, respectively. Accordingly, claims 7, 8, 17, 24, and 25 are in condition for allowance.

Claims 1, 3-9, 11-18 and 20-44 are now pending with claims 1, 7, 9, 17, 18, 24, 26 and 44 being independent.

For the reasons noted at pages 2-8 in the office action, claims 1, 3-6, 9, 11-16, 18, 20-23, and 26-44 stand rejected under 35 USC 103(a) as being unpatentable over various combinations of Bruno et al. (U.S. Patent No. 5,710,591), Braun (U.S. Patent No. 4,360,827), Everett (U.S. Patent No. 5,864,816), Stanley et. al (U.S. Patent No. 4,691,347), and Chau et al. (U.S. Patent No. 5,764,750). These rejections are traversed.

As presented, independent claim 1 recites an audio conference server for enabling an application program to provide multi-point, weight-controllable audio conferencing. The mixing means includes a means for providing distance-based attenuation according to sound decay characteristics.

The cited art -- whether taken alone or in combination -- fails to describe or suggest the combination of features recited in claim 1.

The Examiner asserts at page 8 of the office action that Everett discloses a mixing means providing distance-based attenuation according to sound decay characteristics. The Examiner specifically refers to Figs. 3 and 4 and col. 5, line 61 to col. 6, line 27 of Everett as somehow supporting this assertion.

However, Applicants disagree. Everett fails to describe or suggest a weight-controllable audio conferencing server as recited in claim 1 in which audio data is mixed by providing distance-based attenuation according to sound decay characteristics. Everett states at col. 6, lines 22-27 that his attenuation method may be used in virtual environments in which different sounds are controllably played or muted depending on a position of the user. However, Everett's sounds are not controllably played or muted according to sound delay characteristics, but rather are played or muted based on a user's manual adjustment of volume controls (e.g. sliders) as indicated by the location of a cursor on the volume control screen. See Everett Figs. 3-4 and at col. 5, lines 46-60, col. 6, lines 14-22. Everett explains that "As the cursor is moved toward another group, the audio track associated with that group begins to become heard: in operation the position of the cursor relative to each group center determines the relative attenuation (or lack of it) applied to the respective audio . . ." See Everett at col. 6, lines 17-22 (Emphasis added). Therefore, Everett's attenuation of sounds is not according to sound decay characteristics as recited in claim 1.

Bruno and Braun each fails to cure the deficiencies of Everett because, as the Examiner acknowledges at page 3 of the office action, neither Bruno nor Braun describe or suggest a weight controllable audio conferencing server as recited in claim

1 in which audio data is mixed by providing distance-based attenuation according to sound decay characteristics.

These differences from the cited art provide the server of claim 1 with several advantages. For example, as described in the specification at page 6, line 26 - page 7, line 7, the server of claim 1 provides a user with realistic sound that varies with an apparent distance between that user's persona and either another user's persona or a sound in a scene.

Thus, the theoretical combination of Bruno, Braun, and Everett fails to describe or suggest the combination of features recited in independent claim 1. For these reasons, applicant requests withdrawal of the rejection of claim 1.

Claim 9 recites a method for enabling an audio conference server (ACS) to provide weight controllable audio conferencing. Audio data is mixed to provide distance-based attenuation according to sound decay characteristics. For reasons discussed above with respect to claim 1, any theoretical combination of Bruno, Braun, and Everett fails to describe or suggest the combination of features recited in independent claim 9. For these reasons, applicant requests withdrawal of the rejection of claim 9.

Claim 18 recites a computer program for enabling an audio conference server (ACS) to provide weight controllable audio conferencing. The mixing means includes a means for enabling the computer to provide distance-based attenuation

according to sound decay characteristics. For reasons discussed above with respect to claim 1, any theoretical combination of Bruno, Braun, and Everett fails to describe or suggest the combination of features recited in independent claim 18. Accordingly, applicant requests withdrawal of the rejection of claim 18.

Independent claim 26 recites an audio conferencing method that includes attenuating received audio data based on audio decay characteristics to simulate a distance between a source audio client and a target audio client. For reasons discussed above with respect to claim 1, none of Bruno, Braun, and Everett describes or suggests the combination of features recited in independent claim 26. For at least these reasons, claim 26 is allowable.

Independent claim 44 recites computer software for an audio conference server. The software comprises instructions for causing a computer processor to attenuate received audio data based on audio decay characteristics to simulate a distance between a source audio client and a target audio client. For reasons discussed above with respect to claim 1, none of Bruno, Braun, and Everett describes or suggests the combination of features recited in independent claim 44. Accordingly, claim 44 is allowable over the art of record.

The remaining claims -- claims 3-6, 11-16, 20-23, and 27-43 -- each depend from one of the independent claims discussed

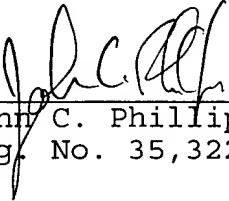
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above. Accordingly, the dependent claims are allowable for the reasons set forth with respect to their respective independent claims, and for containing allowable subject matter in their own right. Independent consideration and allowance of the dependent claims are requested.

In view of the foregoing remarks, this application is in condition for allowance, and a notice thereof is requested.

Respectfully submitted,


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